

### **REMARKS**

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

#### **Status of the Claims**

Claims 1-10 and 12-14 are pending in this application of which claims 1, 9, 10 and 12-14 are independent. All of the pending claims stand rejected. By this amendment, claims 1, 3, 9, 10 and 12-14 are amended. No new matter has been added by this amendment.

#### **Objections**

Claims 1, 9, 10 and 12-14 have been objected to. The Office Action indicates that the term "a title" is not described in the original specification, and interprets the term as meaning a subject field. Claim 3 has been objected to. The Office Action indicates that the term "subject portion" is not clearly defined.

In response, relevant portions of claims 1 and 3 are amended as shown above, respectively. Applicant respectfully requests that these objections be withdrawn.

#### **Rejection under 35 U.S.C. §103**

Claims 1-10 and 12-14 have been rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 6,583,813 to Enright et al., ("Enright") in view of JP 2002-165195 to Sakurai ("Sakurai"). In rejecting claim 1, the Office Action indicates, *inter alia*, that:

Regarding claim 1, Enright et al. teaches ... converting means for converting format of the sensing time information into text data format for specifying the sensing time information with converted text data (column 36, lines 32 *et seq.*; emails also include information about the nature of the triggering event and capture time; Also, in column 36 lines 39-41 Enright et al. mentions that the recipient of the email receives useful information of the occurrence of the machine from figures 62-72; also figure 19 including time and date data) [Page 4 of the Office Action]

As Applicant explained in the previous Amendment submitted on August 7, 2008, claim 1 recites, *inter alia*, "converting means for converting format of the sensing time information

into text data format for specifying the sensing time information with converted text data; ... wherein said converting means edits the sensed image and the converted text data in such a way that the converted text data are represented as a title of the electronic mail." Other independent claims (i.e., claims 9, 10 and 12-14) recite similar features to claim 1 described herein.

However, as Applicant also explained in the August 7, 2008 Amendment, Enright fails to teach at least the "converting means" as recited in claim 1. While Enright (including the cited portions by the Examiner (i.e., col. 36, lines 32 *et seq.*)), teaches sending emails to a single or multiple recipients, it simply fails to show or suggest creating an email by converting the data format of the sensing time information. It does not necessarily follow from the Examiner's observation that Enright "mentions that the recipient of the email receives useful information of the occurrence of the machine from figures 62-72; also figure 19 including time and date data" that Enright teaches that the time and date data are actually converted as recited in claim 1. For example, Fig. 19 as shown below illustrates a screen image (i.e., a screen shot) with a selected image enlarged. In other words, the date data indicated in Fig. 19 is not a converted text data. See, also, col. 38, lines 22-31 of Enright.

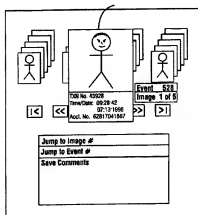


FIG. 19

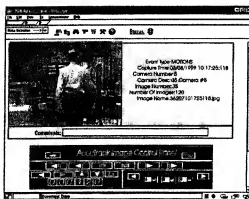


FIG. 67

Also, Fig. 67 of Enright as shown above merely shows a screen shot presented at a user terminal showing an image output, i.e., there is no converted text data as required by claim 1 of the present application.

The Office Action goes on indicate:

However, Enright et al. fails to teach wherein said converting means edits the sensed image in such a way that the converted text data are represented as a title of the electronic mail. SAKURAI, on the other hand teaches wherein said converting means edits the sensed image in such a way that the converted text data are represented as a title of the electronic mail.

More specifically, SAKURAI teaches wherein said converting means edits the sensed image in such a way that the converted text data are represented as a title of the electronic mail (paragraphs 0033-0034) [Page 5 of the Office Action]

Applicant notes that Sakurai discloses a data transmission apparatus having a camera (e.g., a mobile phone with a camera) in which the image data shot by the camera can be transmitted to a predetermined destination. In particular, Sakurai's transmission apparatus allows a user to set a number of image data to be transmitted in a batch mode transmission. Specifically, Sakurai discloses "associating" data of the shot image with a date indicating a shooting date and time. See, e.g., paragraph 0009 of Sakurai.

However, there is simply nothing in Sakurai that teaches the converting means recited in claim 1. For example, Applicant notes that the paragraphs cited by the Examiner (i.e., paragraphs 0033 and 0034) describe that "[b]y setting the title of e-mail and the file name of image data for a shooting place etc., the contents of the e-mail are understood at a glance without actually seeing the image, and the image can be arrayed in a short time." However, setting the title of e-mail for a shooting place to allow the e-mail receiver to understand the contents of the e-mail at a glance does not necessarily mean that the shooting place information is actually "converted" as required by claim 1 of the present application.

Accordingly, each of claims 1, 9, 10 and 12-14 is believed neither anticipated by nor rendered obvious in view of the references cited by the Examiner (i.e., Enright and Sakurai), either taken alone or in combination, for at least the reasons discussed above.

Nonetheless, claims 1, 9, 10 and 12-14 have been amended for further clarification. In particular, amended claim 1 further recites:

wherein said setting means can set arbitrarily at least one of a start time of image sensing to be executed at a predetermined timing, time intervals of the image sensing, a condition for determining whether or not the image sensing is performed when a signal is input from a sensor, a condition for determining whether or not the image sensing is performed when a sound level input from a microphone is equal to or higher than a predetermined level, and a condition for whether or not the image sensing is performed when an image sensing button is pressed.

Other independent claims (i.e., claims 9, 10 and 12-14) are amended in a similar manner to claim 1 described above. Support for the amendment may be found, e.g., Fig. 4 and relevant section of the specification, e.g., paragraph [0081] of the corresponding published application (i.e., U.S. Pub. No. 2004/0150722 A1).

With the features of the amended claims, it is possible to arbitrarily set conditions for image sensing in accordance with a request from a user, i.e., converting the conditions into text data, and transmitting a mail including the text data to the user in order to notify a condition under which the image sensing was performed. As a result, the user may easily determine the condition under which the image sensing was performed based on the reference of the text data.

As Applicant understands it, none of the references cited by the Examiner (i.e., Enright and Sakura) teaches this aspect of the claimed invention discussed above. Reconsideration and withdrawal of the rejections of claims 1, 9, 10 and 12-14 under 35 U.S.C. § 103(a) is respectfully requested.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited document from the pending claims as set forth above. These statements

should not be regarded in any way as admissions that the cited document is, in fact, prior art.

Also, Applicant has not specifically addressed the rejections of the dependent claims. Applicant respectfully submits that the independent claims as amended, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

Applicant believes that the application as amended is in condition for allowance and such action is respectfully requested.

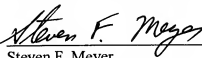
**AUTHORIZATION**

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 50-4827 (Order No. 1232-5116). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
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